

AMENDMENTS TO THE CLAIMS

1-10. (Cancelled)

11. (Currently amended): A base station apparatus, comprising:

a communication unit which communicates with a predetermined terminal apparatus at a variable transmission rate;

a transmission rate varying unit which measures a quality of a channel for the terminal apparatus and performs a processing of varying a transmission rate of an uplink according to the quality, the processing involving the temporary stoppage of data communication in an uplink and downlink;

a receiving unit which receives request signals from the terminal apparatus via the communication unit;

a detector which detects information on whether the downlink is set to be prioritized, from signals received ~~from the terminal apparatus;~~ by the receiving unit; and

a communication control unit which ~~stops~~ causes the transmission rate varying unit to perform the processing of varying the transmission rate of the uplink if the downlink is not set to be prioritized and causes the transmission rate varying unit to stop the processing of varying the transmission rate in the uplink and maintains the transmission rate of the uplink if the downlink is set to be prioritized, wherein

prioritization of the downlink as set in the information detected by the detector is determined by the terminal apparatus.

12. (Currently amended): A base station apparatus, comprising:

a communication unit which communicates with a predetermined terminal apparatus at a variable transmission rate;

a transmission rate varying unit which acquires information on a channel quality from the terminal apparatus and performs, based on the information, a processing of varying a transmission rate of a downlink, the processing involving the temporary stoppage of data communication in an uplink and downlink;

a receiving unit which receives request signals from the terminal apparatus via the communication unit;

a detector which detects information on whether the uplink is set to be prioritized, from signals received ~~from the terminal apparatus;~~ by the receiving unit; and

a communication control unit which ~~stops~~ causes the transmission rate varying unit to perform the processing of varying the transmission rate of the downlink if the uplink is not set to be prioritized and causes the transmission rate varying unit to stop the processing of varying the transmission rate in the downlink and maintains the transmission rate of the downlink if the uplink is set to be prioritized, wherein

prioritization of the uplink as set in the information detected by the detector is determined by the terminal apparatus.

13. (Cancelled)

14. (Previously presented): A base station apparatus according to Claim 11, further comprising a signal monitoring unit which monitors a type or amount of signals transmitted from and received by said communication unit,

wherein said communication control unit does not stop the varying processing in said transmission rate varying unit, according to the type or amount of signals of a line which is required to be prioritized by the information detected by the detector.

15. (Previously presented): A base station apparatus according to Claim 12, further comprising a signal monitoring unit which monitors a type or amount of signals transmitted from and received by said communication unit,

wherein said communication control unit does not stop the varying processing in said transmission rate varying unit, according to the type or amount of signals of a line which is required to be prioritized by the information detected by the detector.

16. (Currently amended): A terminal apparatus, comprising:

a communication unit which communicates with a predetermined base station apparatus at a variable transmission rate;

a decision unit which determines either an uplink or a downlink, to which priority is to be given, with the base station apparatus;

a signal generator which generates a request signal, as information on the degree of priority of a line, for a line to which priority is to be given, and which sends the generated request signal to the base station apparatus;

a transmission rate varying unit which performs a processing of varying a transmission rate of an uplink or downlink by temporarily stopping data communication; and

a communication control unit which performs the processing of varying the transmission rate thereby varying the transmission rate if the link determined by the decision unit to be prioritized is identical to the link subject to variation of the transmission rate by the transmission rate varying unit, and does not perform the processing of varying the transmission rate and maintains the transmission rate if the uplink or downlink determined by the decision unit to be prioritized is different from the uplink or downlink subject to variation of the transmission rate by the transmission rate varying unit.

17. (Previously presented): A terminal apparatus according to Claim 16, wherein if the downlink is determined to be prioritized, said communication control unit disregards an instruction, issued from the base station apparatus, about a change in an uplink transmission rate and if the uplink is determined to be prioritized, it does not request the base station apparatus to vary the transmission rate, regardless of a channel quality of the downlink.

18-23. (Cancelled)

24. (New): A method for determining a transmission rate, comprising:
communicating with a predetermined terminal apparatus at a variable transmission rate;
measuring a quality of a channel for a terminal apparatus and varying a transmission rate of an uplink according to the quality, the varying involving the temporary stoppage of data communication in an uplink and downlink;

receiving request signals from the terminal apparatus;
detecting information on whether the downlink is set to be prioritized, from the received request signals; and
causing the varying the transmission rate of the uplink if the downlink is not set to be prioritized, and stopping the varying the transmission rate in the uplink and maintaining the transmission rate of the uplink if the downlink is set to be prioritized, wherein
prioritization of the downlink as set in the detected information is determined by the terminal apparatus.

25. (New): A method for determining a transmission rate, comprising:
communicating with a predetermined terminal apparatus at a variable transmission rate;
acquiring information on a channel quality from the terminal apparatus and performing, based on the information, varying a transmission rate of a downlink, the varying involving the temporary stoppage of data communication in an uplink and downlink;
receiving request signals from the terminal apparatus via the communication unit;
detecting information on whether the uplink is set to be prioritized, from the received request signals received; and
causing the varying the transmission rate of the downlink if the uplink is not set to be prioritized, and stopping the varying the transmission rate in the downlink and maintaining the transmission rate of the downlink if the uplink is set to be prioritized, wherein
prioritization of the uplink as set in the detected information is determined by the terminal apparatus.

26. (New): A computer-readable medium storing program instructions thereon that, when executed by a processor, perform a method for determining a transmission rate, comprising:
communicating with a predetermined terminal apparatus at a variable transmission rate;
measuring a quality of a channel for a terminal apparatus and varying a transmission rate of an uplink according to the quality, the varying involving the temporary stoppage of data communication in an uplink and downlink;

receiving request signals from the terminal apparatus;
detecting information on whether the downlink is set to be prioritized, from the received request signals; and
causing the varying the transmission rate of the uplink if the downlink is not set to be prioritized, and stopping the varying the transmission rate in the uplink and maintaining the transmission rate of the uplink if the downlink is set to be prioritized, wherein
prioritization of the downlink as set in the detected information is determined by the terminal apparatus.

27. (New): A computer-readable medium storing program instructions thereon that, when executed by a processor, perform a method for determining a transmission rate, comprising:
communicating with a predetermined terminal apparatus at a variable transmission rate;
acquiring information on a channel quality from the terminal apparatus and performing, based on the information, varying a transmission rate of a downlink, the varying involving the temporary stoppage of data communication in an uplink and downlink;
receiving request signals from the terminal apparatus via the communication unit;
detecting information on whether the uplink is set to be prioritized, from the received request signals received; and
causing the varying the transmission rate of the downlink if the uplink is not set to be prioritized, and stopping the varying the transmission rate in the downlink and maintaining the transmission rate of the downlink if the uplink is set to be prioritized, wherein
prioritization of the uplink as set in the detected information is determined by the terminal apparatus.